

PTO/SB/21 (09-06)

Approved for use through 03/31/2007. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	10/771,152
Filing Date	February 4, 2004
First Named Inventor	Ravi B. GOPAL et al.
Art Unit	2838
Examiner Name	Samuel Berhanu
Attorney Docket Number	9351-382

**ENCLOSURES (Check all that apply)**

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): -Copies of DE 100 36 572, DE 37 02 591, EP 1 134 868 and German Office Action
<b>Remarks</b>   		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name	Bereskin & Parr		
Signature			
Printed name	Ian C. McMillan		
Date	January 23, 2007	Reg. No.	43,390

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

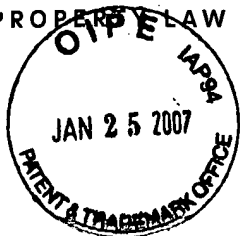
Signature			
Typed or printed name		Date	

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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# Bereskin & Parr

INTELLECTUAL PROPERTY LAW



January 23, 2007

Ian C. McMillan B.Sc. (Math & Eng.), LL.B., LL.M.  
416 957 1644 imcmillan@bereskinparr.com

Your Reference: 10/771,152

Our Reference: 9351-382

## SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

The Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia  
U.S.A. 22313-1450

Dear Sir:

**Re: United States Patent Application No. 10/771,152**  
**Filed: February 4, 2004**  
**Title: SYSTEM AND METHOD FOR MEASURING INTERNAL RESISTANCE**  
**OF ELECTROCHEMICAL DEVICES**  
**Applicant: Ravi B. Gopal and Norman Freeman**

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In accordance with 37 CFR 1.56 and 1.97, subject to the waiver of the requirements of 37 CFR 1.98(a)(2)(i) provided by the United States Patent and Trademark Office Notice dated August 5, 2003, applicant hereby submits an Information Disclosure Statement including a listing, on PTO form 1449, of all patents and other publications of which the applicant is aware that may be considered material to the patentability of its claimed invention.

The Examiner is advised, pursuant to provisions of 37 CFR 1.97(e) that each item of the information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart for an application not more than three months prior to filing of this statement. In particular, the information was cited in the German Office Action of the corresponding German application, which was received by the undersigned on December 28, 2006.

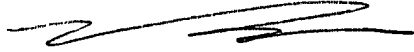
U.S. Patent Nos. 6,392,386 and 4,833,459, and U.S. Patent Publication no. 2002/0025464, were located in an effort to find English-language references corresponding to the German-language references cited by the Examiner. However, no representation is made that these English-language documents exactly correspond to the German-language documents.

Scotia Plaza, 40 King Street West, 40th Floor, Toronto, Ontario, Canada M5H 3Y2  
Tel: 416.364.7311 Fax: 416.361.1398 [www.bereskinparr.com](http://www.bereskinparr.com)

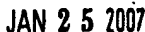
TORONTO MISSISSAUGA WATERLOO MONTRÉAL

Please have these documents recorded against the above-mentioned application.

Respectfully submitted,



Ian C. McMillan  
Registration No. 43,390  
/ap  
Encl.



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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Substitute for HRI 1449/PTO

*(Use as many sheets as necessary)*

Sheet	1	of	2
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**Complete if Known**

Application Number	10/771,152
Filing Date	February 4, 2004
First Named Inventor	Ravi B. GOPAL et al.
Art Unit	2838
Examiner Name	Samuel Berhanu
Attorney Docket Number	9351-382

## U. S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> *Number <sup>4</sup> *Kind Code <sup>5</sup> (if known)				
		DE 100 36 572	02-14-2002	Norbert BREUR		
		EP 1 134 868	09-19-2001	Gunter SCHULMAYR		
		DE 37 02 591	11-08-1988	Wolfgang GEUER et al.		

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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Substitute for form 1449/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(Use as many sheets as necessary)</i>		<b>Complete if Known</b>	
		Application Number	10/771,152
		Filing Date	February 4, 2004
		First Named Inventor	Ravi B. GOPAL et al.
		Art Unit	2838
		Examiner Name	Samuel Berhanu
Sheet 2	of 2	Attorney Docket Number	9351-382

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		Copy of German Office Action, 11-24-2006 (copy of english translation is enclosed)	

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

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